



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): DALTON, James T. et al. EXAMINER: Not yet known

SERIAL NO.: 10/760,152 GROUP ART UNIT: 1645

FILED: January 20, 2004 ATTORNEY DOCKET No.: P-5376-US

FOR: A METHOD OF TREATING BREAST CANCER WITH ANDROGEN RECEPTOR ANTAGONISTS

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
PETITION FOR A FOUR-MONTH EXTENSION OF TIME**

Sir:

In response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b), mailed April 26, 2004 (a copy of which is enclosed), Applicant(s) submit herewith the following:

1. ☒ an executed Declaration and Power of Attorney making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63;
2. ☒ a Preliminary Amendment.

A response was due June 26, 2004. Applicant(s) hereby petition for a FOUR-month extension of time. Therefore, a response is now due on October 26, 2004. Accordingly, this Response and Petition are being timely filed.

The Patent Office is hereby authorized to charge Deposit Account 05-0649 in the amount of \$2,750, covering the following:

10/26/2004 EAREGAY1 00000069 050649 10760152

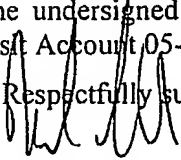
05 FC:1254 1530.00 DA

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 SERIAL NO.: 10/760,152
 FILED: January 20, 2004
 Page 2

FEE CALCULATION				
1. BASIC FILING FEE				
	Large Entity Fee	Small Entity Fee		
Utility	\$790	\$395		790
Provisional	\$160	\$80		0
2. EXTRA CLAIM FEES				
Total Claims	22	-20 ** =	2	x
			18	=
				36
Independent Claims	6	-3 ** =	3	x
			88	=
				264
		Multiple Dependent	x	0
				0
Large Entity Fee	\$18	Small Entity Fee	\$9	Fee Description
	\$88		\$44	Claims in excess of 20
	\$300		\$150	Independent claims in excess of 3
				Multiple dependent claim, if not paid
				300
3. Fee for Petition for Extension of Time				
Large Entity Fee	Small Entity Fee			
\$110	\$55	Extension for reply within first Month		0
\$430	\$215	Extension for reply within second Month		0
\$980	\$490	Extension for reply within third Month		0
\$1,530	\$765	Extension for reply within fourth Month		1,530
4. Surcharge Fee Under 37 CFR 1.16(e) or 1.492(e)				
	Large Entity Fee	Small Entity Fee		
Utility	\$130	\$65		130
5. Surcharge Fee Under 37 CFR 1.16(l)				
	Large Entity Fee	Small Entity Fee		
Provisional	\$50	\$25		0
TOTAL				2,750

If any additional fee is required, the undersigned attorney hereby authorizes the Patent Office to charge such additional fee to Deposit Account 05-0649.

Respectfully submitted,


 Mark S. Cohen
 Attorney for Applicant(s)
 Registration No. 42,425

Dated: October 24, 2004

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
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APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/760,152	01/20/2004	James T. Dalton	P-5376-US

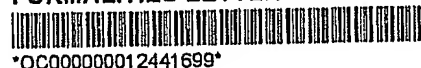
27130
EITAN, PEARL, LATZER & COHEN ZEDEK LLP
10 ROCKEFELLER PLAZA, SUITE 1001
NEW YORK, NY 10020

EPLC
RECEIVED

28 APR 2004

CONFIRMATION NO. 7193

FORMALITIES LETTER



OC000000012441699

Date Mailed: 04/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/26/2004 EAREGAY1 00000069 050649 10760152

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 790.00 DA
02 FC:1051 130.00 DA
03 FC:1201 264.00 DA
04 FC:1202 36.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1734** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2634** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1734**

- \$258 for 3 independent claims over 3.
- \$1476 for 82 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Y.G.
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY